

## Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07  
L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15  
USIA-06 IO-13 AID-05 PC-01 OMB-01 TRSE-00 /076 W  
-----221549Z 067665 /43

R 221123Z APR 77  
FM AMEMBASSY NEW DELHI  
TO SECSTATE WASHDC 2880  
INFO AMEMBASSY COLOMBO  
AMEMBASSY DACCA  
AMEMBASSY ISLAMABAD  
AMEMBASSY KATHMANDU  
AMCONSUL BOMBAY  
AMCONSUL CALCUTTA  
AMCONSUL MADRAS  
CINCPAC

C O N F I D E N T I A L SECTION 1 OF 2 NEW DELHI 5786

CINCPAC FOR POLAD

E.O. 11652: GDS  
TAGS: PGOV PINT IN  
SUBJECT: INCREASING PRESSURE ON CONGRESS GOVERNMENTS IN THE  
STATES

REF: NEW DELHI 5028

SUMMARY: SINCE THE CONGRESS ROUT IN THE LOK SABHA ELECTIONS,  
CONGRESS-DOMINATED GOVERNMENTS IN THE STATES HAVE BEEN  
PLAGUED BY DEFECTIONS, INTERNAL DISSENSION AND UNCERTAINTY  
OVER THE INTENTIONS OF THE NEW JANATA REGIME AT THE CENTER.  
SHEIK ABDULLAH'S GOVERNMENT IN KASHMIR WAS DISSOLVED AND  
NEW ELECTIONS ARE TO BE HELD IN JUNE. DEFECTIONS RECENTLY  
BROUGHT DOWN THE CONGRESS GOVERNMENT IN GUJARAT, AND THE  
JANATA FRONT HAS RETURNED TO POWER UNDER FORMER CHIEF  
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MINISTER BABUBHAI PATEL. ALTHOUGH CONGRESS RETAINS ITS  
LARGE MAJORITY IN MAHARASHTRA, CHIEF MINISTER S. B. CHAVAN  
HAS BEEN REPLACED. THE CENTRAL GOVERNMENT APPEARS DETERMINED  
TO HASTEN THE ASSUMPTION OF POWER BY JANATA GOVERNMENTS IN  
MANY STATES IN TIME FOR THIS SUMMER'S PRESIDENTIAL ELECTION.  
FAILING TO ACHIEVE THIS END THROUGH THE 43RD CONSTITUTION  
AMENDMENT BILL (REFTL), HOME MINISTER CHARAN SINGH HAS

URGED THE CONGRESS CHIEF MINISTERS OF NINE KEY STATES TO DISSOLVE THEIR ASSEMBLIES AND HOLD FRESH ELECTIONS IN EARLY JUNE. THE CONGRESS LEADERSHIP THUS FAR HAS REFUSED TO COMPLY, LEADING TO THE POSSIBILITY THAT THE GOI WILL DECLARE PRESIDENT'S RULE IN THESE STATES IN ORDER TO HOLD ELECTIONS BEFORE THE MONSOON. THE GOVERNMENT MAY BE WILLING TO TAKE SUCH AN ACTION IN THE BELIEF THAT THE PRESENT POLITICAL-ECONOMIC SITUATION IS STILL WORKING IN ITS FAVOR BUT COULD DETERIORATE BY THE TIME THE NEXT OPPORTUNITY ARRIVES FOR HOLDING STATE ELECTIONS. END.

SUMMARY.

1. SINCE THE CONGRESS ROUT IN LAST MONTH'S LOK SABHA ELECTONS, CONGRESS-DOMINATED GOVERNMENTS IN THE STATES HAVE BEEN PLAGUED BY DEFECTIONS, INTERNAL DISSENSIONS AND UNCERTAINTY OVER THE INTERNTIONS OF THE NEW JANATA REGIME AT THE CENTER.

2. WITHIN A WEEK AFTER THE LOK SABHA ELECTON RESULTS WERE KNOWN, THE CONGRESS WITHDREW ITS SUPPORT TO SHEIKH ABDULLAJS GOVERNMENT IN JAMMU AND KASHMIR, ALLEGEDLY ON THE GROUNDS THAT HIS NATIONAL CONFERENCE HAD VIOLATED ITS ELECTORAL UNDERSTANDING WITH THE CONGRESS AND HAD WORKED AGAINST CONGRESS CANDIDATES. ABDULLAH WAS LEFT WITH A MINORITY GOVERNMENT; THE CENTER DISSOLVED THE STATE ASSEMBLY AND IMPOSED GOVERNOR'S RULE, WHICH IN THE SPECIAL CASE OF J&K IS THE EQUIVALENT OF PRESIDENT'S RULE IN OTHER STATES. NEW ELECTIONS TO THE ASSEMBLY ARE TO BE HELD IN JUNE. THE MAIN CONTESTANTS WILL BE THE CONGRESS, CONFIDENTIAL

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NATIONAL CONFERENCE AND THE JANATA, WHICH IS HASTILY ORGANIZING ITSELF IN THE STATE. THERE IS SOME SPECULATION THAT ABDULLAH IS SWITCHING HIS ALLEGIANCES TO CONFORM WITH THE NEW SITUATION AT THE CENTER AND MAY FORGE AN ELECTORAL UNDERSTANDING WITH THE JANATA.

3. DEFECTIONS OF MLA'S BROUGHT DOWN THE CONGRESS GOVERNMENT IN TRIPURA IN LATE MARCH, PAVING THE WAY FOR THE INSTALLATION OF A CPM/CFD GOVERNMENT MARCH 31. THIS IS THE FRIST TIME THE CPM HAS HELD POWER IN A STATE SINCE THE COLLAPSE OF THE CPM-DOMINATED COALITION IN WEST BENGAL IN 1970.

4. THE TIDE OF DEFECTIONS WHICH HAD ENABLED THE FORMATIONS OF SOLANKI'S CONGRESS GOVERNMENT IN GUJARAT IN LATE DECEMBER EBBED SWIFTLY FOLLOWING THE LOK SABHA ELECTIONS. MOST OF THE DEFECTING MLA'S HAD ORIGINALLY BEEN A PART OF THE FORMER JANATA FROMT GOVERNMENT, ELECTED IN JUNE 1975, WHO CROSSED THE FLOOR TO THE CONGRESS SIDE DURING TE EMERGENCY. THERI SWIFT RETURN TO THE JANATA FOLD FORCED SOLANKI TO

RESIGN APRIL 8 AND BROUGHT IN THE REINSTALLATION OF A JANATA GOVERNMENT ON APRIL 11. FORMER CHIEF MINISTER BABUBBHAI PATEL RESUMED HIS LEADERSHIP OF THE GOVERNMENT.

5. IN MAHARASHTRA A LARGE FACTION OF CONGRESS MLA'S-- REPORTEDLY WITH THE BACKING OF FORMER FOREIGN MINISTER Y.B. CHAVAN--HAD LONG WANTED TO OUST CHIEF MINISTER S. B. CHAVAN. THEY SEIZED UPON CONGRESS' POOR PERFORMANCE IN THE STATE IN THE LOK SABHA POLL AS THE PRETEXT FOR FORCING S.B. CHAVAN'S RESIGNATION. VASANTRAO DADA PATIL, A PROTEGE OF Y.B. CHAVAN, SUCCEEDED HIM AS CHIEF MINISTER APRIL 17. CONGRESS RETAINS AN OVERWHELMING MAJORITY IN THE ASSEMBLY, 245 OUT OF 270 SEATS. PATIL'S ASSUMPTION OF THE CHIEF MINISTERSHIP IS LIKELY TO ENHANCE Y.B. CHAVAN'S CONTROL OVER MAHARASHTRA'S CONGRESS UNIT.

6. A STEADY DRIBBLE OF MLA'S DEFECTING IN ONE'S AND TWO'S  
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HAS PLAGUED CONGRESS GOVERNMENTS IN OTHER STATES, MOST NOTABLY IN UP AND BIHAR. NO OTHER CONGRESS GOVERNMENTS HAVE COLLAPSED SO FAR, AND THE GOVERNMENTS OF UP AND BIHAR WON CONFIDENCE VOTES DURING THEIR ASSEMBLIES' BUDGET SESSIONS IN LATE MARCH. FACTIONALISM HAS ALSO BESET SOME CONGRESS GOVERNMENTS AS FEUDING FACTIONS SEEK TO FIX THE BLAME FOR THE CONGRESS DEFEAT.

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L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15  
USIA-06 IO-13 AID-05 PC-01 OMB-01 TRSE-00 /076 W  
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C O N F I D E N T I A L SECTION 2 OF 2 NEW DELHI 5786

CINCPAC FOR POLAD

7. GIVEN THESE TRENDS MANY STATE GOVERNMENTS PROBABLY WOULD SURVIVE AT LEAST UNTIL AFTER THE MONSOON. HOWEVER, THE JANATA GOVERNMENT AT THE CENTER, OBVIOUSLY ANXIOUS TO CAPITALIZE ON THE PRO-JANATA MOOD AND INSTALL AS MANY JANATA STATE GOVERNMENTS AS POSSIBLE IN TIME FOR THE PRESIDENTIAL ELECTION THIS SUMMER, SEEKS TO HASTEN THE PROCESS, THE PRIME MINISTER'S EARLIER ASSURANCES NOTWITHSTANDING. (NOTE: THE ELECTORAL COLLEGE FOR A PRESIDENTIAL ELECTION COMPRISES MP'S FROM BOTH HOUSES OF PARLIAMENT AND MEMBERS OF ALL STATE ASSEMBLIES.) DURING THE RECENT LOK SABHA SESSION, THE GOVERNMENT WAS REBUFFED IN ITS EFFORT TO DISSOLVE MOST STATE ASSEMBLIES BY REDUCING THEIR TERMS TO FIVE YEARS THROUGH THE 43RD CONSTITUTION AMENDMENT BILL (REFTEL). TAKING ANOTHER APPROACH TO ACHIEVING THIS GOAL, HOME MINISTER CHARAN SINGH ON APRIL 18 URGED  
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THE CONGRESS CHIEF MINISTERS OF NINE STATES TO ADVISE THEIR RESPECTIVE GOVERNORS TO DISSOLVE THE ASSEMBLIES AND CALL FOR FRESH ELECTIONS. THE STATES-BIHAR, HARYANA, HIMACHAL PRADESH, MADHYA PRADESH, ORISSA, PUNJAB, RAJASTHAN, GUJARAT AND WEST BENGAL--ARE THOSE IN WHICH CONGRESS SUFFERED MASSIVE DEFEATS IN THE LOK SABHA POLL. THUS, ACCORDING TO CHARAN SINGH, THE CONGRESS GOVERNMENTS WERE THOROUGHLY REPUDIATED BY THE PEOPLE IN THESE STATES, AND THE CONGRESS SHOULD SEEK A FRESH MANDATE. QUOTING BRITISH CONSTITUTIONAL EXPERTS, HE MAINTAINED THAT THIS APPEAL WAS WITHIN THE LIMITS OF THE CONSTITUTION, HE ALSO IMPLIED THAT THE CENTER WOULD CONSIDER OTHER STEPS IF THE CHIEF MINISTERS REFUSED TO OBLIGE. (NOTE: THE TERMS OF THE ASSEMBLIES OF SEVEN OF THE NINE STATES WOULD HAVE EXPIRED THIS YEAR. THEY ARE STILL SITTING, HOWEVER, BECAUSE THE 42ND CONSTITUTION AMENDMENT BILL RAISED ASSEMBLY TERMS FROM FIVE TO SIX YEARS, THUS GIVING THE SEVEN AN EXTRA ONE YEAR LEASE ON LIFE).

8. THE CONGRESS LEADERSHIP QUICKLY DENOUNCED CHARAN SINGH'S ACTION AS A "CONSTITUTIONAL MONSTROSITY" AND INSTRUCTED THE NINE CHIEF MINISTERS TO REJECT THE APPEAL. CONGRESSMEN IN THE STATES JOINED THE CHORUS IN CONDEMNING THE MOVE AS AN

INDICATION OF BLATANT OPPORTUNISM. EVEN NORMALLY PRO-JANATA NEWSPAPERS AND JOURNALIST CRITICIZED THE ACTION AS BEING OF QUESTIONABLE CONSTITUTIONALITY AND CALLED IT THE SORT OF MOVE WHICH MRS. GANDHI HAD TRIED IN HER LATER YEARS OF POWER. THUS FAR, THE GOI AND THREATENED CONGRESS STATE GOVERNMENTS ARE STALEMATED OVER THE ISSUE. NEITHER SIDE IS APPARENTLY WILLING TO BUDGE. THE CABINET IS SCHEDULED TO MEET APRIL 24 TO MAKE A FINAL DECISION.

9. COMMENT: MORARJI DESAI'S GOVERNMENT APPEARS DETERMINED TO HOLD FRESH ASSEMBLY ELECTIONS IN MANY STATES BY THE FIRST WEEK OF JUNE. THE MONSOON IS SUPPOSED TO ARRIVE IN MAHARASHTRA JUNE 10, THEN MOVING ON TO NORTH INDIA LATER  
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IN THE MONTH. BY THE TIME THE WEATHER CLEARS SUFFICIENTLY TO HOLD ELECTIONS IN SEPTEMBER/OCTOBER, THE SIX-MONTH DEADLINE FOR HOLDING THE PRESIDENTIAL ELECTION WILL HAVE PASSED. MOST OBSERVERS NOW AGREE THAT THE GOI WILL ACT UNDER ARTICLE 356 OF THE CONSTITUTION WITHIN A FEW DAYS AND IMPOSE PRESIDENT'S RULE IN THE NINE STATES. THIS WOULD PAVE THE WAY FOR CALLING ASSEMBLY ELECTIONS TO BE HELD IN EARLY JUNE. SUCH A MOVE WOULD PRESUMABLY AROUSE CRIES OF FOUL PLAY FROM THE CONGRESS LEADERSHIP. ON THE OTHER HAND, A RANKING FORMER CONGRESS MP HAS TOLD US THAT THE IMPOSITION OF PRESIDENT'S RULE WOULD BE JUSTIFIED ON BOTH MORAL AND CONSTITUTIONAL GROUNDS. THE OVERWHELMING JANATA VOTE LAST MONTH REPUDIATED NOT ONLY MRS. GANDHI'S REGIME BUT ALSO THE CONGRESS GOVERNMENTS IN THE STATES, WHICH HAD MEEKLY FOLLOWED HER INSTRUCTIONS. IN ADDITION, IF ONE ACCEPTS THE VIEW THAT THE 42ND AMENDMENT IS UNCONSTITUTIONAL, THE TERMS OF SEVEN OF THE NINE ASSEMBLIES CAN BE DEEMED TO HAVE ALREADY EXPIRED.

10. IF THE GOVERNMENT SHOULD RESORT TO DECLARING PRESIDENT'S RULE IN THE NINE TARGETED STATES, IT COULD INCUR CHARGES THAT IT IS ACTING IN THE SAME ARBITRARY MANNER AS MRS. GANDHI'S REGIME. ALREADY SOME OBSERVERS HAVE BEGUN ARGUING THE LEGAL GROUNDS FOR SUCH AN ACTION. ALTHOUGH TECHNICALLY WITHIN THE LIMITS OF THE CONSTITUTION, SUCH A MOVE COULD TARNISH THE AURA WHICH ACCOMPANIED THE JANATA VICTORY, SINCE THE GOVERNMENT'S MOTIVES WOULD BE TRANSPARENT. NONETHELESS, AS ONE WELL PLACED JOURNALIST HAS NOTED, ORDINARY PEOPLE ARE NOT UNDULY CONCERNED ABOUT FAIR PLAY AMONG INDIAN POLITICIANS. THEY ARE ONLY CONCERNED WITH THEIR OWN WELL BEING AND THE EXTENT TO WHICH THE GOVERNMENT INTRUDES INTO THEIR LIVES. PRICES OF ESSENTIAL COMMODITIES HAVE BEGUN RISING AGAIN AND LABOR AND STUDENT AGITATION HAS ONCE AGAIN STARTED TO OCCUR. WITH THE PROSPECTS FOR THE ECONOMY UNCERTAIN AND THE

POSSIBILITY THAT INDIA MAY RETURN TO THE SORT OF AGITATIONAL  
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ACTIVITY OF PRE-EMERGENCY DAYS, THE JANATA GOVERNMENT  
MAY BE WILLING TO RISK CHARGES OF POLITICAL OPPORTUNISM  
IN ORDER TO CAPITALIZE ON A POLITICAL/ECONOMIC SITUATION  
WHICH IS STILL WORKING IN ITS FAVOR BUT WHICH COULD LATER  
DETERIORATE.  
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## Message Attributes

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**To:** STATE  
**Type:** TE  
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